

## REMARKS

Claims 1-21 were pending and remain pending. Claims 20-21 were withdrawn from consideration following Applicant's election of claims 1-19 for examination. By this paper, claims 1 and 19-21 are amended. Support for the amendments to claim 1 and 19 is provided, among other places, by Fig. 2, which shows membrane layers 6 directly contacting one another. No new matter is entered by this paper.

### *Interview*

Applicant Shuqi Chen and his agent Scott Kamholz met with Examiner Siefke and Supervisory Patent Examiner Jill Warden at the Office during an interview on June 30, 2004. During the interview, the participants discussed the rejection of the claims as unpatentable over EP 0139373 in view of U.S. Pat. No. 5,073,484 to Swanson. Applicant proposed an amendment to claims 1 and 19, and the Examiners agreed that the amendment would overcome the rejection. Applicant thanks the Examiners for the courtesies extended during the interview.

### *Claim Rejections - 35 U.S.C. § 103(a)*

Claims 1-3, 10, 11, and 14-19 were rejected under 35 U.S.C. § 103(a) as unpatentable over EP 0139373 ("EP '373") in view of U.S. Pat. No. 5,073,484 to Swanson.

Claims 4-7 were rejected under 35 U.S.C. § 103(a) as unpatentable over EP '373 in view of Swanson and further in view of U.S. Pat. No. 4,472,498 to Masuda et al.

Claims 8-9 were rejected under 35 U.S.C. § 103(a) as unpatentable over EP '373 in view of Swanson and further in view of U.S. Pat. No. 5,391,478 to Greene et al.

Claim 13 was rejected under 35 U.S.C. § 103(a) as unpatentable over EP '373 in view of Swanson and further in view of U.S. Pat. No. 3,888,629 to Bagshawe et al.

Claim 12 was rejected under 35 U.S.C. § 103(a) as unpatentable over EP '373 in view of Swanson and further in view of U.S. Pat. No. 4,330,297 to Leichnitz.

In response, Applicant asks the Examiner to reconsider the rejections. Claims 1 and 19 have been amended in the manner approved during the June 30, 2004 interview. Specifically, each claim has been amended to state that the membrane layers directly contact one another. It was agreed during the interview that EP '373 does not teach this because it expressly requires means for adhering layers (p. 9, lines 4-5) and teaches interposing squares of thermoplastic materials between layers which, when melted, adhere the layers to one another (p. 10, lines 7-16). EP '373 teaches away from the claimed arrangements and so cannot, by itself or in any combination, render the claims unpatentable. Applicant accordingly asks that the rejection of claims 1 and 19 be withdrawn.

Claims 2-18 depend from allowable claim 1, so Applicant asks that the rejections of these claims be withdrawn as well.

***Rejoinder of claims 20 and 21***


Claims 20 and 21 have been amended to depend from claims 1 and 19, respectively. As a result, they should be rejoined. See M.P.E.P. § 821.04 ("withdrawn process claims which depend from... the allowable product claim will be rejoined").

***Conclusion***

Applicant invites the Examiner to contact Applicant's agent, Scott Kamholz, at 617-832-1176 (direct line) or the general telephone number given below, to discuss any matters relating to this case.

Respectfully submitted,  
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